

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Freddie L. Dillard,

Civil No. 12-2636 (RHK/TNL)

Plaintiff,

**ORDER**

v.

Minnesota Department of Correction, et al.,

Defendants.

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Based upon the October 23, 2012, Report and Recommendation by United States Magistrate Judge Tony N. Leung (Doc. No. 4), together with all the files, records, and proceedings herein, and no objections to said Recommendation having been filed, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 4) is **ADOPTED**;
2. Plaintiff's application to proceed in forma pauperis (Doc. No. 2) is **DENIED**; and
3. This action is summarily **DISMISSED** pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: December 3, 2012

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge